

FOR the purpose of modifying certain standards for emergency evaluations of individuals with mental disorders; authorizing certain individuals who make a petition for emergency evaluation to base the petition on certain information; modifying the required elements of a petition for emergency evaluation; and generally relating to emergency evaluations of individuals with mental disorders.

BY repealing and reenacting, with amendments,

Article - Health - General

Section 10-622, 10-623, and 10-626

Annotated Code of Maryland

(2000 Replacement Volume and 2002 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

10-622.

(a) A petition for emergency evaluation of an individual may be made under this section only if the petitioner has reason to believe that the individual:

(1) [has] HAS a mental disorder [and that there is clear and imminent danger of the individual's doing bodily harm to the individual or another]; AND

(2) THE INDIVIDUAL PRESENTS A DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR OF OTHERS.

(b) (1) The petition for emergency evaluation of an individual may be made by:

[(1)](I) A physician, a psychologist, a clinical social worker, a licensed clinical professional counselor, or a health officer or designee of a health officer who has examined the individual;

[(2)](II) A peace officer who personally has observed the individual OR THE INDIVIDUAL'S BEHAVIOR; or

[(3)](III) Any other interested person.

(2) AN INDIVIDUAL WHO MAKES A PETITION FOR EMERGENCY EVALUATION UNDER PARAGRAPH (1)(I) OR (II) OF THIS SUBSECTION MAY BASE THE PETITION ON:

(I) THE EXAMINATION OR OBSERVATION; OR

(II) OTHER INFORMATION OBTAINED THAT IS PERTINENT TO THE FACTORS GIVING RISE TO THE PETITION.

(c) (1) A petition under this section shall:

(i) Be signed and verified by the petitioner;